



P15657-A/YAM.058

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HOSOKAWA, Taisuke

Serial No.: 10/827,260

Group Art Unit: 2611

Filed: April 20, 2004

Examiner: Flores, Leon

For: FREQUENCY OFFSET DETECTION PROCESSING SYSTEM AND
FREQUENCY OFFSET DETECTION PROCESSING METHOD USING THE
SAME

Honorable Commissioner of Patents
Alexandria, Virginia 22313-1450

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. §1.111

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STATEMENT OF SUBSTANCE OF INTERVIEW UNDER 37 C.F.R. §1.133(B)

Sir:

In response to the Non-Final Office Action dated **November 15, 2007**, and the Examiner Interview held on **February 12, 2008**, please consider the **Request for Reconsideration** and the **Statement of Substance of Interview** in the above-identified application as follows:

I. STATEMENT OF SUBSTANCE OF INTERVIEW

The following is Applicant's Statement of Substance of Interview held with the Examiner of Record in the above-identified application on February 12, 2008.

Applicant's representative demonstrated that the references to Hirata and Uda fail to teach or suggest Applicant's claimed invention of "*a majority determination unit which determines whether each of phase moving amount detection values by a plurality of frequency offsets, which are detected for a predetermined time and read out from said frequency offset detection unit, is a positive value or a negative value, and totalizes to determine which of the positive values and the negative values are larger in number.*"

Applicant's representative argued that the passages in Uda at column 3, lines 58-65 and column 5, lines 43-54 that disclose the functioning of the positive and negative offset detection counters only measure whether each counter 304 and 305 has counted up to a predetermined value, not "*to determine which of the positive values and the negative values are larger in number,*" per Applicant's claimed invention.

Additionally, Applicant's representative argued that the combination of the secondary references of Uda and Kondo with the primary reference to Hirata would not have been combined by one of ordinary skill in the art, and that the Examiner failed to give proper motivation supported by the disclosure of any of these references.

Applicant's representative demonstrated that the substitution of the Hirata integrator 5 with the Examiner's alleged substituted elements from Uda and Kondo is not a simple substitution of one known element for another to obtain predictable results. Applicant's representative argued that the alleged combination of these elements would fail to create any reasonable expectation of success in the combination as alleged by the Examiner.